

In re Application of:

ALFRED BLALOCK BAHNSON, ET AL.

Serial No. 10/032,661

Filed: October 26, 2001

Art Unit: 1743

Patent Examiner:

) METHOD AND APPARATUS  
 ) FOR MONITORING OF  
 ) PROTEINS AND CELLS

Pittsburgh, Pennsylvania 15213

June 3, 2002

Assistant Commissioner for Patents  
Washington, D.C. 20231

DECLARATION UNDER 37 C.F.R. §1.132

I, Raymond K. Houck, hereby declare that:

I am a co-inventor of the above-identified patent application.

I have reviewed the above-identified patent application.

I am president of assignee of the above-identified patent application, Automated Cell, Inc., located in Pittsburgh, Pennsylvania.

I consent to the removal of Aleksandr I. Lisovich as a co-inventor of the above-identified patent application in the capacity as president of assignee of the above-identified patent application, and in the capacity as a co-inventor of the above-identified patent application.

As president of assignee, I made the decision who should be listed as inventor of the above-identified patent application.

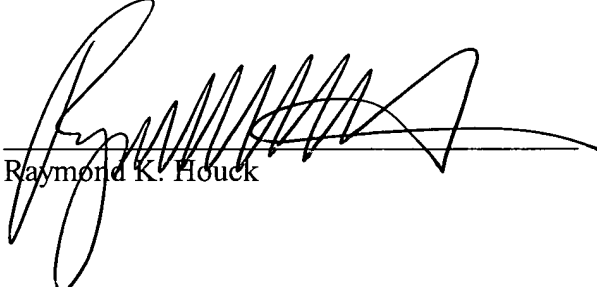
When the above-identified patent application was filed with the U.S. Patent and Trademark Office, I was not sure whether Aleksandr I. Lisovich was or was not an inventor of the above-identified patent application because he was not available to ask, as he was no longer employed by assignee of the above-patent application. Since I was unsure whether Aleksandr I. Lisovich was an inventor or was not an inventor of the above-identified patent application, I felt to be safe, it was more appropriate to include him as an inventor than not to include him as an inventor of the above-identified patent application. He had been an employee of assignee and had worked on various aspects of the apparatus and method that are claimed by the above-identified patent application. For these reasons, without any deceptive intent, I chose to identify Aleksandr I. Lisovich as a co-inventor of the above-identified patent application.

Aleksandr I. Lisovich has been contacted and provided a copy of the above-identified patent application to review. Aleksandr I. Lisovich has indicated he is not an inventor of any of the claims of the above-identified patent application, and has provided a Declaration stating he is not an inventor. Aleksandr I. Lisovich should not be listed as a co-inventor of the

above-identified patent application, and should be removed as an inventor of the above-identified patent application.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

6/8/02  
Date

  
Raymond K. Houck